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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FRANK LOUIS MOJICA, individually;  
ROSE AMELIA GONZALEZ DE  
MOJICA, individually,  
Plaintiff(s)

vs.

GEICO ADVANTAGE INSURANCE  
COMPANY; DOES I through X; and ROE  
CORPORATIONS XI through XX,  
inclusive,

CASE NO.: 2:18-cv-00164-RFB-GWF

STIPULATION AND ORDER  
REGARDING AMOUNT IN  
CONTROVERSY AND REMAND TO  
STATE COURT

It is hereby stipulated by and between Plaintiffs FRANK LOUIS MOJICA and ROSE AMELIA GONZALEZ DE MOJICA, through their attorneys, EDWARD BERNSTEIN & ASSOCIATES, and GEICO ADVANTAGE INSURANCE COMPANY, through its attorneys, ATKIN WINNER & SHERROD, that each Plaintiff does not now seek, and will not seek in the future, damages in excess of Seventy Four Thousand Nine Hundred Ninety Nine Dollars and Ninety Nine Cents (\$74,999.99) by way of their Complaint for all causes of action in this matter, inclusive of attorney's fees, costs and interest, if any be allowed.

It is further stipulated that since the amount in controversy is less than \$75,000.00, for each Plaintiff, inclusive of attorney's fees, costs and interest, the United States District Court for the District of Nevada lacks an element of jurisdiction required by 28 U.S.C. § 1332(a).

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It is further stipulated that this case may be remanded to the Eighth Judicial District Court, Clark County, Nevada, based on this agreement as to the amount in controversy, and that each party shall pay its own attorney's fees and costs associated with the removal and remand.

Dated this 27<sup>th</sup> day of February, 2018

Dated this 27<sup>th</sup> day of February, 2018

ATKIN WINNER & SHERROD

EDWARD BERNSTEIN & ASSOCIATES

/s/Lara L. Miller  
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/s/Brian E. Lunt  
BRIAN E. LUNT  
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Las Vegas, Nevada 89101  
*Attorneys for the Plaintiffs*

**ORDER**

IT IS HEREBY ORDERED that each Plaintiff's total recovery against Defendant GEICO Advantage Insurance Company by way of the Complaint in this matter shall not exceed \$74,999.99 for all causes of action, inclusive of attorney's fees, costs and interest, if any;

Therefore, THIS COURT FINDS that the amount in controversy does not exceed \$75,000.00 for each Plaintiff, which is the minimum threshold for federal district court jurisdiction per 28 U.S.C. § 1332(a); and

IT IS FURTHER ORDERED that this matter is REMANDED to the Eighth Judicial District Court, Clark County, Nevada, by authority of 28 U.S.C. § 1447, each party to pay its own attorney's fees and costs of suit associated with the removal and remand.

DATED March 12, 2018.



RICHARD F. BOULWARE, II  
United States District Court